IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 151 OF 2006

SHRI V.M. RAO, PANAJI GOA. ....Petitioner

Versus

BANK OF INDIA,REP.HEREIN THROUGH ITS ZONAL MANAGER ....Respondent

Mr. V. A. Lawande, Advocate for the petitioner.

Mr. Sandesh Padiyar, Advocate for the respondent.

Coram:- KSHITIJ R. VYAS, C.J. &
RANJANA DESAI, J.

Date:- 8th June, 2006

P.C.

Having heard the learned Counsel for the parties and having perused the records, we find no substance in the matter. The petitioner who was serving as Manager of the respondent Bank, in an inquiry held by the Inquiry Officer has been held guilty. In other words, the charges levelled against the petitioner are fully established in the disciplinary inquiry initiated against the petitioner. Thereafter, an order of dismissal came to be passed. His representations before the Disciplinary Authority as well as the Appellate Authority and the review petition before the General Manager who is the Reviewing Authority are also turned down and, therefore, in our opinion, the case does not warrant any interference by us, especially when nothing has been pointed out about any illegalities in the inquiry.

However, on the question of penalty, it was submitted that the order of dismissal may be substituted by an order of compulsory retirement. In our opinion, the petitioner may make a representation before the concerned authority making such request. If such a

representation is made by the petitioner, we are sure that the concerned Authority shall look into it notwithstanding the fact that the petition is dismissed. Subject to these observations, the petition stands rejected.

KSHITIJ R. VYAS, C.J.

RANJANA DESAI, J.

ssm.